



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Fumito Nariyuki

Group Art Unit: 1752

Application No. 10/766,939

Examiner: Thorl Chea

Filed: January 30, 2004

Docket No.: FSF-03228

For: PHOTOTHERMOGRAPHIC MATERIAL AND IMAGE FORMING METHOD

DECLARATION UNDER 37 C.F.R. § 1.132

Honorable Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

I, Fumito NARIYUKI, do declare and state as follows:

I graduated from Tokyo University with a masters degree in Chemistry in March 2001;

I joined Fuji Photo Film Co., Ltd. (hereinafter, "Fuji") in April 2001, and thereafter, I was engaged in the research and development of photothermographic materials for medical use at Fuji's Ashigara Laboratory until September 2003 and have been engaged in the development of organic electro devices at Fuji's Advanced Core Technology Laboratory (Ashigara) from October 2003 until the present time;

I am the inventor of the subject matter disclosed and claimed in the above-identified application; and

I am familiar with the Office Action of April 7, 2005 and the rejections set forth therein.

The following additional comparative experiments were carried out by me or under my supervision in order to make the advantages of the subject matter clearer.

Comparative Test

Samples 1a to 4a were prepared by eliminating the additive S-1 (adsorbable redox compound) from each of samples 1 to 4 of the Examples of the present specification, and samples 1b to 4e were prepared in the same manner as samples 1 to 4 except that additive S-1 was replaced with an equivalent application amount of adsorbable redox compound (2), (6), (12) or (73). Unprocessed stock storability was then evaluated according to the same exposure and development methods and evaluation method as in Example 1.

Since silver halide emulsion 1 listed in the table in the Examples is a typographical error, which should be silver halide emulsion A, silver halide emulsion A is correctly listed in the following table.

Sample No.	Thermal Developing Time (sec)	Silver Halide Emulsion	Adsorbable Redox Compound	Unprocessed Stock Storability	Remarks
1a	24	A	--	57	Comparative
1a	12	A	--	59	Comparative
2a	24	2	--	65	Comparative
2a	12	2	--	67	Comparative
3a	24	3	--	69	Comparative
3a	12	3	--	70	Comparative
4a	24	4	--	72	Comparative
4a	12	4	--	74	Comparative
1b	15	A	2	89	Comparative
1b	10	A	2	91	Comparative
2b	15	2	2	90	Comparative
2b	10	2	2	93	Invention
3b	15	3	2	88	Comparative
3b	10	3	2	94	Invention

4b	15	4	2	89	Comparative
4b	10	4	2	94	Invention
1c	15	A	6	88	Comparative
1c	10	A	6	91	Comparative
2c	15	2	6	90	Comparative
2c	10	2	6	94	Invention
3c	15	3	6	90	Comparative
3c	10	3	6	96	Invention
4c	15	4	6	90	Comparative
4c	10	4	6	96	Invention
1d	15	A	12	88	Comparative
1d	10	A	12	93	Comparative
2d	15	2	12	91	Comparative
2d	10	2	12	98	Invention
3d	15	3	12	98	Comparative
3d	10	3	12	100	Invention
4d	15	4	12	92	Comparative
4d	10	4	12	102	Invention
1e	15	A	73	89	Comparative
1e	10	A	73	93	Comparative
2e	15	2	73	93	Comparative
2e	10	2	73	101	Invention
3e	15	3	73	90	Comparative
3e	10	3	73	102	Invention
4e	15	4	73	91	Comparative
4e	10	4	73	103	Invention

As is clear from a comparison of the above-listed results with the results for samples 1 to 4 in Table 2 of the present specification, it was found that, in samples 1a to 4a from which the adsorbable redox compound was eliminated, the effect of improving unprocessed stock storability was small regardless of the silver iodide content. On the other hand, it was found that, even when the adsorbable redox compound was changed from S-1 to other adsorbable redox compounds (2), (6), (12) and (73), the effect of improving unprocessed stock storability was great when silver halide emulsions 2 to 4 having a high silver iodide content were used (particularly when silver halide emulsions 3 and 4 were used).

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATE: July 27, 2005

Fumito Nariyuki

Fumito NARIYUKI